

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INTELLECTUAL VENTURES I LLC and	)	
INTELLECTUAL VENTURES II LLC,	)	
	)	
Plaintiffs,	)	
	)	C.A. No. 1:13-cv-00453-SLR
v.	)	
	)	
TOSHIBA CORPORATION, TOSHIBA	)	
AMERICA, INC., TOSHIBA AMERICA	)	
ELECTRONIC COMPONENTS, INC. and	)	
TOSHIBA AMERICA INFORMATION	)	
SYSTEMS, INC.	)	
	)	
Defendants.	)	

**DEFENDANTS TOSHIBA CORPORATION, TOSHIBA AMERICA, INC., TOSHIBA  
AMERICA ELECTRONIC COMPONENTS, INC. AND TOSHIBA AMERICA  
INFORMATION SYSTEMS, INC.’S MOTION FOR PARTIAL STAY  
PENDING *INTER PARTES* REVIEW**

Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Electronic Components, Inc., and Toshiba America Information Systems, Inc. (collectively, “Toshiba”) by and through their undersigned attorneys, respectfully request that the Court enter a partial stay of proceedings pending resolution by the United States Patent and Trademark Office of Toshiba’s requested *inter partes* review of U.S. Patent Nos. 5,500,819, 5,687,132, 6,058,045 and 7,836,371. All of the relevant factors favor granting a stay: the IPRs will simplify the issues for trial; the case is at its very early stage; and IV, a non-practicing entity, will not suffer any undue prejudice from a stay.

Toshiba’s motion is based on the accompanying opening brief, Declaration of Denise Kraft, other papers of record in this action, and any other matter, evidence, or argument that the Court may properly consider.

September 26, 2014

**DLA PIPER LLP (US)**

*Of Counsel:*

Mark D. Fowler (*Pro Hac Vice*)  
Alan Limbach (*Pro Hac Vice*)  
Timothy Lohse (*Pro Hac Vice*)  
Brent Yamashita (*Pro Hac Vice*)  
Aaron Wainscoat (*Pro Hac Vice*)  
Carrie L. Williamson (*Pro Hac Vice*)  
Saori Kaji (*Pro Hac Vice*)  
Katherine Cheung (*Pro Hac Vice*)

**DLA PIPER LLP (US)**

2000 University Avenue  
East Palo Alto, CA 94303-2215  
Telephone: (650) 833-2048  
Facsimile: (650) 687-1138  
mark.fowler@dlapiper.com  
alan.limbach@dlapiper.com  
timothy.lohse@dlapiper.com  
brent.yamashita@dlapiper.com  
aaron.wainscoat@dlapiper.com  
carrie.williamson@dlapiper.com  
saori.kaji@dlapiper.com  
katherine.cheung@dlapiper.com

Gerald T. Sekimura (*Pro Hac Vice*)

**DLA PIPER LLP (US)**

555 Mission Street, Suite 2400  
San Francisco, CA 94105-2933  
Telephone: (415) 836.2576  
Facsimile: (415) 659.7476  
gerald.sekimura@dlapiper.com

Brian Erickson (*Pro Hac Vice*)

**DLA PIPER LLP (US)**

401 Congress Avenue  
Suite 2500  
Austin, TX 78701-3799  
Telephone: (512) 457.7059  
Facsimile: (512) 721.2263  
brian.erickson@dlapiper.com

*/s/ Denise S. Kraft*

Denise S. Kraft (Bar No. 2778)  
Brian A. Biggs (Bar No. 5591)  
1201 North Market Street, Suite 2100  
Wilmington, DE 19801-3046  
Telephone: (302) 468-5700  
Facsimile: (302) 394-2341  
denise.kraft@dlapiper.com  
brian.biggs@dlapiper.com

*Attorneys for Defendants Toshiba  
Corporation, Toshiba America, Inc., Toshiba  
America Electronic Components, Inc. and  
Toshiba America Information Systems, Inc.*

Kevin Hamilton (*Pro Hac Vice*)

**DLA PIPER LLP (US)**

401 B Street, Suite 1700

San Diego, CA 92101-4297

Telephone: (619) 699.2634

Facsimile: (619) 764.6633

kevin.hamilton@dlapiper.com

Patrick Park (*Pro Hac Vice*)

**DLA PIPER LLP (US)**

2000 Avenue of the Stars

Suite 400 North Tower

Los Angeles, CA 90067-4704

Telephone: (310) 595.3113

Facsimile: (310) 595.3413

patrick.park@dlapiper.com

**STATEMENT PURSUANT TO LOCAL RULE 7.1.1**

Pursuant to Local Rule 7.1.1, I hereby certify that counsel for Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Electronic Components, Inc., and Toshiba America Information Systems, Inc. have made reasonable efforts to confer with counsel for Plaintiffs Intellectual Ventures I LLC and Intellectual Ventures II LLC (collectively, “Plaintiffs”), and that Plaintiffs oppose this motion.

Dated: September 26, 2014

**DLA PIPER LLP (US)**

/s/ Denise S. Kraft

Denise S. Kraft (DE No. 2778)  
1201 North Market Street, Suite 2100  
Wilmington, DE 19801-1147  
Telephone: (302) 468-5700  
Facsimile: (302) 394-2341  
denise.kraft@dlapiper.com

*Attorneys for Defendants Toshiba  
Corporation, Toshiba America, Inc.,  
Toshiba America Electronic  
Components, Inc. and Toshiba America  
Information Systems, Inc.*